IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF WEST VIRGINIA -AT WHEELING-

FILED

JUL 1 0 2007

U.S. DISTRICT COURT WHEELING, WV 26003

JOHN R. McCLOUD,

Plaintiff,

VS.

CIVIL ACTION NO. 5:07-CV-58 JUDGE FREDERICK P. STAMP, JR.

JAYSON R. HOBBS and ALLSTATE INSURANCE COMPANY,

Defendants.

AGREED PARTIAL DISMISSAL ORDER

This day came the plaintiff, John R. McCloud, by his counsel, Gold, Khourey & Turak, LC and Jonathan E. Turak, and came the defendant, Allstate Insurance Company, by its counsel, Steptoe & Johnson, PLLC and Mark E. Kinley on the underinsured motorists claim of plaintiff, and Bowles, Rice, McDavid, Graff & Love, LLP and Ronda L. Harvey on the remaining claims of plaintiff against Allstate Insurance Company, jointly moving that the underinsured motorists claim of plaintiff against Allstate Insurance Company be dismissed as fully compromised and settled.

And it appearing that the parties have so agreed, as shown by the signatures of their attorneys of record below, it is, accordingly, ORDERED that the underinsured motorists claim of the plaintiff against Allstate Insurance Company be, and the same is hereby, dismissed as fully compromised and settled.

WH152843.1

The Clerk is directed to forward certified copies of this Agreed Partial Dismissal Order to all attorneys of record herein and this action shall continue on the docket of this Court as to the remaining claims of plaintiff against Allstate Insurance Company.

FREDERICK P. STAMP, JR. Judge of the United States District Court for the Northern

District of West Virginia

Agreed:

Jonathan E. Turak, Esq. Gold, Khourey & Turak, LC 510 Tomlinson Avenue Moundsville, WV 26041 Counsel for Plaintiff

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Counsel for Allstate Ins. Co. on the claims of

Plaintiff other than the UIM claim

Mark E. Kinley, Esq.

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Counsel for Allstate Ins. Co. on the UIM

Claim of Plaintiff